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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eric C. Erike
Serial No. : 10/053,144
Filing Date : January 18, 2002
For : HIGH STRENGTH AIR BAG
QUALITY STEEL
Group Art Unit : 1742
Examiner : Janell A. Combs
Attorney Docket No. : TRW(VSSIM)3971-1
Cleveland, Ohio 44114-1400

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

In response to the Office Action dated September 24, 2003 the applicant elects claims 1-8, drawn to a process of forming a steel sheet, with traverse.

The Office Action argues that claims 1-8 and claims 9-11 are patentably distinct and, therefore, should be restricted because the product of claims 9-11 can be made by a materially different process, such as forging, than the process of claim 1.

The applicant respectfully traverse this restriction because (1) the inventions are not patentably distinct, and (2) it would require no additional effort on the part of the Examiner to search the inventions recited in claims 1-8 and 9-11. The welded sheet construction recited in claims 9-12 can only be made using the process recited in claim 1. As noted in the Office Action, claims 1-8 are directed to a process of forming a steel sheet. Claim 9 specifically incorporates the process limitations of claim 1. Claim 9 recites a welded construction "comprising a steel sheet formed by the process of claim 1". Thus, the welded construction of claim 9 must be made using the process of claim 1 and cannot be made by another process, such as forging. Therefore, a search of the prior art for claims 9-12 would also require a search of class 148, subclass 648, where the process of claim 1 is classified.

The applicant requests that the restriction requirement be withdrawn and an examination of all claims be performed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard A. Sutkus", written over a horizontal line.

Richard A. Sutkus
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